

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

PATRICIA FLANERY,)	
)	No. CV-11-3003-CI
Plaintiff,)	
)	
v.)	ORDER GRANTING STIPULATED
)	MOTION TO REMAND PURSUANT TO
MICHAEL J. ASTRUE,)	SENTENCE FOUR OF 42 U.S.C.
Commissioner of Social)	§ 405(g)
Security,)	
)	
Defendant.)	

BEFORE THE COURT is the parties' Stipulated Motion to Remand the above-captioned matter to the Commissioner for additional administrative proceedings. (ECF No. 22.) Attorney D. James Tree represents Plaintiff Patricia Flanery; Special Assistant United States Attorney Jeffrey R. McClain represents Defendant. The parties have consented to proceed before a magistrate judge. (ECF No. 7.) After considering the stipulation of the parties,

IT IS ORDERED:

1. The parties' stipulated Motion to Remand (**ECF No. 22**) is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) shall address the opinion of Mr. Alcade and specify the weight assigned to it. If Plaintiff is found disabled, the hearing decision should evaluate whether the claimant's drug abuse or alcoholism is material to that finding of

1 disability. Plaintiff is free to raise any argument on remand,
2 including those articulated in Plaintiff's brief.

3 2. Judgment shall be entered for the **PLAINTIFF**.

4 3. Plaintiff's Motion for Summary Judgment (**ECF No. 17**) is
5 stricken as moot.

6 4. An application for attorney fees may be filed by separate
7 motion.

8 The District Court Executive is directed to enter this Order,
9 forward copies to counsel, and thereafter shall close this file.

10 DATED January 31, 2012.

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12 S/ CYNTHIA IMBROGNO
13 UNITED STATES MAGISTRATE JUDGE
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